



AMENDED

ASSIGNED

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office OCT 03 2001  
Returned to applicant for correction NOV 27 2001  
Corrected application filed JAN 09 2002  
Map filed DEC 20 1974 under 28757

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The applicant **Getchell Gold Corporation** hereby makes application for permission to change the **Point of Diversion, and Place of Use of a portion** of water heretofore appropriated under **Permit 49815 (HL Well), Certificate 13809**

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1. The source of water is **underground**
2. The amount of water to be changed **0.1146 cfs 14.715 MGA**
3. The water to be used for **mining, milling, and domestic**
4. The water heretofore permitted for **mining, milling, and domestic**
5. The water is to be diverted at the following point (**Well WW#1**) **NW¼ SW¼ Section 6, T.38N, R.43E, M.D.B.&M., or at a point from which the E¼ corner of Section 1, T.38N, R.42E bears S. 67° 33' 16" W., a distance of 454.73 feet situated in Humboldt County, State of Nevada (see map on file under Permit 28758)**
6. The existing permitted point of diversion is located within **SE¼ SE¼ Section 3, T.38N, R.42E, M.D.B.&M., or at a point from which the SE corner of said Section 3 bears S. 72° 54' E, a distance of 784.8 feet, situated in Humboldt County, State of Nevada**
7. Proposed place of use **within Sections 21, 22, 23, 26, 27, 28, 29, 32, 33, & 34 in T39N, R42E, M.D.B.&M.; and within Sections 3, 4, 9 & 10 in T38N, R42E, M.D.B.&M. (see map on file under Permit 61201-T)**
8. Existing place of use **(with)in the S½ SE¼ and the S½ N½ SE¼ of Section 3, T.38N, R.42E, M.D.B.&M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing (WW#1) pump, motor, and pipeline will not change.**
12. Estimated cost of works **\$0**
13. Estimated time required to construct works **0 years**
14. Estimated time required to complete the application of water to beneficial use **1 year**

15. Remarks: The estimated consumption is 14.715 MGA

By Mr. Michael S. Smith, PE, PLS, SWRS #717  
Brown and Caldwell  
s/Michael S. Smith 1/9/02  
5865 Tyrone Road, Suite 201  
Reno, Nevada 89502

Compared my/cmf 15/cmf

Protested \_\_\_\_\_

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#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 49815 is issued subject to the terms and conditions imposed in said Permit 49815 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

This permit does not extend the permittee the right of ingress and egress on public, private, or corporate land.

The issuance of this permit does not wave the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection relating to the dewatering project.

The total combined duty of water under Permits 28758, Certificate 13803; 45731, Certificate 13806; 45732, Certificate 13807; 49815, Certificate 13809; 58406, 58408, 61546, 61602, 61686, 61688, 63109, and 65900 through 65914, inclusive, and 68059 shall not exceed 1,034 million gallons annually.

The total combined diversion rate under the above referenced permits and any subsequent changes to these permits shall not exceed 15.6 cubic feet per second (7,000 gallons per minute).

Monthly records will be kept and submitted quarterly for the following: (1) the volume of water pumped from each well, (2) the volume of water consumptively used for mining and milling uses projectwide, (3) the amount of water discharged to infiltration or injection, and (4) the water level (static or pumping) of each permitted well and monitoring wells HL-1, DM-3, MW-16, MW-17, and MW-18. These records will be submitted within 15 days after the end of each calendar quarter. A method that estimates the amount of evaporative losses will be considered as part of the combined duty for consumptive purposes.

(CONTINUED ON PAGE 3)

All flow measurements taken at those locations described in covenant 2.3 (flow measurement) of the Water Resources Agreement between First Miss Gold, Inc and LaVar Murdock, dba Adams Peak Properties dated February 27, 1996, shall be reported in the above quarterly report.

All of the above stated conditions are issued subject to having no adverse impacts on existing rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1146 cubic feet per second, **but not to exceed 14.715 million gallons annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

**July 2, 2003**

Proof of completion of work shall be filed before:

**August 2, 2003**

Water must be placed to beneficial use on or before:

**July 2, 2004**

Proof of the application of water to beneficial use shall be filed on or before:

**August 2, 2004**

Map in support of proof of beneficial use shall be filed on or before:

**August 2, 2004**

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 2nd day of, July A.D. 2002

  
State Engineer

Completion of work filed AUG 13 2003

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

